## DR. LARRY F. DARBY DARBY ASSOCIATES

Larry F. Darby is an economic and financial consultant based in Washington, DC. He earned a doctorate in economics from Indiana University in 1971, specializing in the economics of industrial organization and regulation, and subsequently joined the faculty of the Graduate School of Business at Temple University, where he taught managerial and industrial economics and regulation of business.

In 1975 he became Senior Economist in the White House Office of Telecommunications Policy. He later served as Chief Economist and Chief of the FCC's Common Carrier Bureau where he was the architect of numerous Commission orders directing reorganization and reregulation of the telephone industry, satellite businesses, and the telephone equipment sector -- from lowering entry barriers to prescribing market-competitive ratemaking and accounting practices.

After leaving the FCC, and spending two years on Capitol Hill directing a joint Congressional investigation of application of the antitrust laws to the motor carrier industry (Executive Director of the Motor Carrier Ratemaking Study Commission), he went to Wall Street in 1983 to join Lehman Brothers where he was Vice-President in the Telecommunications Investment Banking group.

At Lehman he concentrated on assessing the impacts of technological, regulatory and market developments on investment opportunities and financial values of cable television, broadcasting and telecommunications (services and equipment) companies. There he applied knowledge and experience acquired in government to a broad range of financial and regulatory issues confronting the newly divested Bell System companies, broadcasters and other communications companies.

In 1988 Dr. Darby returned to Washington, D.C. and founded Darby Associates, Communications Consultants. Darby Associates has advised a broad spectrum of clients on issues related to domestic common carrier regulation, broadcasting, cable television, domestic and foreign telephony, and emerging "multimedia" regulatory issues. Recent consulting assignments required assessments of: quantitative relations between common carrier telephone regulation and national macroeconomic performance; several matters related to regulation of tariffs for interstate access to local telephone networks; the economics of multimedia market development; broadcast infrastructure development; economics of electric utility provision of telecoms and audiovisual services; technoeconomic assessment of international broadcasting markets; markets for digital broadcasting services; impact of regulatory trends (state and federal) on business opportunities; and, investment and financial impacts of alternative regulatory schemes in telephony. Clients regularly solicit his counsel on matters related to corporate development strategies.

He is a Lecturer in Telecommunications Finance at the George Washington University Graduate School; writes a biweekly column (Investment Notes) for Communications Business and Finance; and, is a frequent participant in professional conferences on numerous matters related to financial and economic impacts of telecom technology advances and regulatory reform. He recently published two items addressing regulation, investment incentives and U.S. infrastructure development.

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of October, 1995, copies of the foregoing document were served by hand delivery\*, or first class mail, postage prepaid, to the parties on the attached service list.

essica H. Bridges

David Honig
Executive Director
Minority Media and Telecommunications Council
3636 16th Street NW
Washington, DC 20010

EZ Communications, Inc. M. Anne Swanson, Esq. Koteen & Naftalin Suite 1000 1150 Connecticut Avenue, NW Washington, DC 20036

Mt Wilson FM Broadcasters, Inc. Robert B. Jacobi, Esq. Cohn and Marks 1333 New Hampshire Ave., NW Suite 600 Washington, DC 20036

Ernest Fleischmann
Executive Vice President-Managing Director
Los Angeles Philharmonic Association
135 Noth Grand Avenue
Los Angeles, CA 90012-3042

Noble Broadcast Group, Inc. John M. Pelkey, Esq. Haley Bader & Potts P.L.C. Suite 900 4350 North Fairfax Drive Arlington, VA 22203-1633

Noble Broadcast Group, Inc. John Wells King, esq. Haley Bader & Potts P.L.C. Suite 900 4350 North Fairfax Drive Arlington, VA 22203-1633

Tichenor Media System, Inc. Roy R. Russon, Esq. Cohn & Marks Suite 600 1333 New Hampshire Avenue, NW Washington, DC 20036-1573

Susquehanna Radio Corp. David E. Kennedy President 140 East market Street York, PA 17401 Susquehanna Radio Corp. Charles T. Morgan Senior Vice President 140 East market Street York, PA 17401

Bonneville International Bruce T. Reese Executive Vice President Braodcast House P.O. Box 1160 55 North Third West Salt Lake City, Utah 84110-1160

Zimmer Broadcasting
Jerry Zimmer
324 Broadway
P.O. Box 1610
Cape Girardeau, Missouri 63702

Zimmer Broadcasting John Zimmer 324 Broadway P.O. Box 1610 Cape Girardeau, Missouri 63702

Zimmer Broadcasting James Zimmer 324 Broadway P.O. Box 1610 Cape Girardeau, Missouri 63702

Zimmer Broadcasting Don Zimmer 324 Broadway P.O. Box 1610 Cape Girardeau, Missouri 63702

Zimmer Broadcasting David Zimmer 324 Broadway P.O. Box 1610 Cape Girardeau, Missouri 63702

Anthony G. (Tony) Coloff President/General Manager KIOW FM 18643 360th St. P.O. Box 308 Forrest City, Iowa 50436 Infinity Broadcasting Corporation Michael S. Packer WXYT-AM 15600 West 12 Mile Road Post Office Box 905 Southfield, Michigan 48073

KOME Radio James L. Hardy VP/General Manager 3031 Tisch Way Suite 3 Plaza West San Jose, CA 95128

WQYK Jay P. Miller General Manager 9450 Koger Boulevard St. Petersburg, FL 33702

WZLX Jay Charm The Prudential Tower Suite 2450 Boston, MA 02199

WBCN
Tony Berardini
VP/General Manager
Infinity Broadcasting Corporation
1265 Boylston Street
Boston, MA 02215

WOMC Elaine R. Baker Vice President & General-Manager Infinity Broadcasting Corporation of Michigan 2201 Woodward Heights Detroit, Michigan 48220 WJJD-WJMK General Manager 180 North Michigan Avenue Suite 1200 Chicago, IL 60601

WLIF Kenneth C. Stevens Vice President/General Manager One West Pennsylvania Avenue Suite 850 Baltimore, Maryland 21204

## KRTH F. Patrick Duffy Vice President and General Manager Infinity Broadcasting Corporation 5901 Venice Boulevard Los Anngeles, CA 90034

WJFK Kenneth C. Stevens Vice President/General Manager Infinity Broadcasting Corporation One West Pennsylvania Avenue Suite 850 Baltimore, Maryland 21204

New Jersey Broadcasters Association Pat Delsi Chairperson 7 Centre Street Suite 1 Jamesburg, NJ 08831

Satellite Broadcasting and Communications Association Andrew R. Paul Sr. Vice President-Government Affairs 225 Reinekers Lane, Suite 600 Alexandria, VA 22314

Wyoming Farm Bureau Federation Ken Hamilton Administrator P.O. Box 1348 Laramie, Wyoming 82070 Wyoming Heritage Society Bill Schilling Executive Director 139 West 2nd, Suite3-E Casper, WY 82601

United States Department of Agriculture Roger A. Tucker Weather Program Manager 14th & Independence SW P.O. Box 96090 Washington, DC 20090-6090

Maine Farm Bureau Association Dan LaPointe President 478 Western Avenue P.O. Box 430 Augusta, ME 04332-0430

American Satellite Television Alliance Courtland G. Newton, Jr. Executive Director 16 Broadway Valhalla, NY 10595

American Council on Rural Special Education Dr. Joan P. Sebastian Headquarters Coordinator 221 Milton Bennion Hall University of Utah Salt Lake City, UT 84112

Association of American Geographers Ronald F. Abler Executive Director 1710 Sixteenth Street, NW Washington, DC 20009-3198

Owner-Operator Independent Drivers Association, Inc. Jim Johnston President 311 R.D. Mize Road P.O. Box L Grain Valley, MO 64029 Recreation Vehicle Industry Association Craig A. Kirby General Counsel P.O. Box 2999 1896 Preston Whit Drive Reston, VA 22090-0999

CD Radio Robert D. Briskman President 1001 22nd Street NW Washington, DC 20037

Winnebago-Itasca Travelers Mike Anderson Operations Manager P.O. Box 268 Forrest City, Iowa 50436

J Boats, Inc. Robert L. Johnston Strategic Marketing Partner 71 Western Avenue West Boothbay Harbor, ME 04575-0458

Model Transit, Inc. Kathleen M. Bolger President 1001 22nd Street, NW Suite 320 Washington, DC 20037

Foundation for the Advancement of Hispanic Americans Dr. Pedro de Mesones President and Executive Director P.O. Box 66012 Washington, DC 20035

For My People David H. Rambeau President 13217 Livernois Detroit, MI 48238-3126

Italian Industries Association Elio E. Grandi President & Executive Director 4626 Wisconsin Avenue, NW P.O. Box 5879 Washington, DC 20016 Festa Italiana Italian Cultural Society Bob Masullo Vice President 1901 Muir Way Sacramento, CA 95818

New York Chinatown Senior Citizen Center, Inc. Alfred Lui Director 70 Mulberry Street New York, NY 10013

Council for the National Interest Eugene Bird President 1511 K Street, NW Suite 1043 Washington, DC 20005

Dialogue/Confluence Trong Vu 12616 Quaking Branch CT. Bowie, MD 20720

Cedrick R. Hendricks 5726 6th Street, NW Washington, DC 20011

Native American Public Broadcasting Consortium Frank Blythe Executive Director P.O. Box 83111 Lincoln, NE 68501

National Asian American Telecommunications Association Deann L. Borshay Executive Director 346 Ninth Street, 2nd Floor San Francisco, CA 94103

American Association of Homes and Services for the Aging Ann E. Gillespie Senior Vice President 900 F Street, NW Suite 500 Washington, DC 20004-2037 Children's Miracle Network
Paul R. Jones
Director of Communications, Public Relations
4525 South 2300 East
Suite 202
Salt Lake City, Utah 84117

Citizens for a Sound Economy Foundation James L. Gattuso Vice President 1250 H Street, NW Washington, DC 20005

Office of Communication United Church of Christ Henry Geller Suite 800 1750 K Street, NW Washington, DC 20006

Office of Communication United Church of Christ Dr. Everett Parker Senior Research Associate Fordham University The Bronx, New York 10458

Department of Leadership and Educational Policy Studies David G. Geulette Professor Norhtern Illinois University Dekalb, Illinois 60115-2866

Willow Mixed Media Tobe Carey President P.O. Box 194 Lennox Ave. Glenford, NY 12433

Institute for Applied Space Research Barton I. Edelson, Director The George Washington University 801 22nd Street, NW Washington, DC 20052

American Federation of Teachers Harvey S. Long, Ph.D. Technology in Education Consultant American Association for Adult and Continuing Education Dr. Drew W. Allbritten Executive Director 1200 19th Street, NW Suite 300 Washington, DC 20036

Learning Systems Architects David E. Barbee, Ph.D. Principal 4419 Harrison Street, NW Washington, DC 20015

Office of Communication American Baptist Churches USA Dr. Daniel Holland Director P.O. Box 851 Valley Forge, PA 19482-0581

Radio and Television Commission Southern Baptist Convention Jack B. Johnson President 6350 West Freeway Fort Worth, TX 76150

All Pro Sports and Entertainment, Inc. Peter J. Schaffer President 1999 Broadway Suite 3125 Denver, CO

National Cable Satellite Corporation Bruce D. Collins, Esq. Corporate Vice President and General Counsel 400 North Capitol St., NW Suite 650 Washington, DC 20001

National Public Radio Stephen E. Nevas, Esq. Vice President, Legal Affairs and General Counsel 635 Massachusetts Avenue, NW Washington, DC 20001-3753

National Public Radio Mary Lou Joseph Vice President- Member Services 635 Massachusetts Avenue, NW Washington, DC 20001-3753 National Public Radio Donald Lockett Vice President- Audio Engineering 635 Massachusetts Avenue, NW Washington, DC 20001-3753

National Public Radio Michael Starling Director- Technical Operations 635 Massachusetts Avenue, NW Washington, DC 20001-3753

National Public Radio Gregory A. Lewis, Esq. Assistant General Counsel 635 Massachusetts Avenue, NW Washington, DC 20001-3753

Muzak, DBS Division Thomas J. Gentry Vice President & General Manager 3100 Highwoods Boulevard The Laurel Building Raleigh, NC 27604

Voice of America Joseph B. Bruns Acting Director International Broadcasting Bureau US Information Agency Washington, DC 20547-0009

KJAZ Satellite Radio Ronald H. Cowan President P.O. Box 1450 Alameda, CA 94502

WPFW
Gail P. Christian
General Manager
Pacifica Radio
702 H Street, NW
Washington, DC 20001

Diginet Communications, Inc. Philip Schneider Executive Vice President 9055 Comprint Court Siute 310 Gaithersburg, MD 20877 Iotex Communications, Inc. Young S. Nam Vice President 3330 Washington Boulevard Suite 540 Arlington, VA 22201

Pandora Data Corporation Richard A. Ong President P.O. Box 5292 Herndon, VA 22070

Niall Enterprises John O'Neill President P.O. Box 314 Belmont, WI 53510

Interdisciplinary Telecommunications Program Dr. Joseph Pelton, Director Engineering Center, OT3-42 Campus Box 530 Boulder, CO 80309-0530

Access Innovations, Inc. Marjorie M.K. Hlava President and Chairperson P.O. Box 40130 Albuquerque, NM 87196

The Lab for the Interactive Future, Inc. Russ Barnes President and CEO 2325 42nd Street, NW Washington, DC 20007

Multimedia Computer Communications, Inc. John Jung President 1220 Broadway, 6th Floor New York, NY 10001-4312

BIS Strategic Decisions William F. Ablondi Vice President One Longwater Circle Norwell, MA 02061 Orbital Sciences Corporation Stephen L. Goodman, Esq. Halpim, Temple, Goodman & Sugrue Suite 650 East Tower 1100 New York Avenue, NW Washington, DC 20005

Radio Order Corporation David A. Reams President and General Counsel P.O. Box 502 Perrysburg, OH 43552

Dolby Laboratories, Inc. Steven E. Forshay Vice President Engineering 100 Portrero Ave. San Francisco, CA 94103

IEEE-USA Joel B. Snyder, P.E. Vice President 1828 L Street, NW Suite 1202 Washington, DC 20036-5104

Ball Aerospace Clifton David Massey Telecommunication Products Division 2200 Clarendon Boulevard Suite 1202 Arlington, VA 22201-3302

Space Systems/Loral Robert E. Berry President 3825 Fabian Way Palo Alto, CA 94303

Seavey Engineering Associates, Inc. John M. Seavey President 135 King Street Cohasset, MA 02025

ComStream Corporation Charles E. Reutter Regional Director 104 East Bayview Drive P.O. Box 4010 Annapolis, MD 21403 Rollins Hudig Hall Charles F. Engel Executive Vice President 13875 Park Center Road, Suite 201 Herndon, VA 22071

Franklin R. Rogers 19205 Skyline Blvd. Los Gatos, CA 95030

Robert T. Wertime 207 Leitersburg Street Greencastle, PA 17225

Bruce D. Jacobs Fisher Wayland Cooper Leader & Zaragoza L.L.P. 2001 Pensylvania Avenue, NW Suite 400 Washington, DC, 20006

Scott R. Flick Fisher Wayland Cooper Leader & Zaragoza L.L.P. 2001 Pensylvania Avenue, NW Suite 400 Washington, DC, 20006

Lon C. Levin Vice President and Regulatory Counsel American Mobile Radio Corp. 10802 Parkridges Boulevard Reston, VA 22091

Howard M. Lieberman Arter & Hadden 1801 K Street, NW, Suite 400K Wahington, DC 20036

Robert J. Ungar Arter & Hadden 1801 K Street, NW, Suite 400K Wahington, DC 20036

Leslie A. Taylor Leslie Taylor Associates 6800 Carlynn Court Bethesda, MD 20817-4302

Guy T. Christiansen Leslie Taylor Associates 6800 Carlynn Court Bethesda, MD 20817-4302 Clifford N. Burnstein Co-President Primoshpere Corporation c/o Q Prime Inc. 729 7th Ave., 14th Floor New York, NY 10019

Peter D. Mensch Co-President Primoshpere Corporation c/o Q Prime Inc. 729 7th Ave., 14th Floor New York, NY 10019

Peter K. Pitsch Pitsch Communications 2300 N Street, NW, Suite 600 Washington, DC 20037

Richard E. Wiley Wiley, Rein & Fielding 1776 K Street, NW Washington, DC 20006

Michael Yourshaw Wiley, Rein & Fielding 1776 K Street, NW Washington, DC 20006

Carl R. Frank Wiley, Rein & Fielding 1776 K Street, NW Washington, DC 20006

Michael K. Baker Wiley, Rein & Fielding 1776 K Street, NW Washington, DC 20006

Gary M. Epstein, Esq. Latham & Watkins 1001 Pennsylvania Avenue, NW Washington, DC 20004

John P. Janka, Esq. Latham & Watkins 1001 Pennsylvania Avenue, NW Washington, DC 20004

Teresa D. Baer, Esq. Latham & Watkins 1001 Pennsylvania Avenue, NW Washington, DC 20004 \*Chairman Reed E. Hundt Federal Communications Commission 1919 M Street, NW Room 814 Washington, DC 20554

\*Commissioner James H. Quello Federal Communications Commission 1919 M Street, NW Room 802 Washington, DC 20554

\*Commissioner Andrew C. Barrett Federal Communications Commission 1919 M Street, NW Room 826 Washington, DC 20554

\*Commissioner Susan Ness Federal Communications Commission 1919 M Street, NW Room 832 Washington, DC 20554

\*Commissioner Rachel B. Chong Federal Communications Commission 1919 M Street, NW Room 844 Washington, DC 20554

\*Scott Blake Harris, Chief International Bureau Federal Communications Commission 2000 M Street, NW Room 830 Washington, DC 20554 \*Thomas S. Tycz, Chief Satellite and Radiocommunication Division Federal Communications Commission Room 811 2000 M Street, NW Washington, DC 20554

\*Cecily C. Holiday
Deputy Division Chief
Satellite and Radiocommunication Division Federal Communications Commission
Room 520
2000 M Street, NW
Washington, DC 20554

\*Fern J. Jarmulnek, Chief Satellite Policy Branch International Bureau Federal Communications Commission Room 518 2000 M Street, NW Washington, DC 20554

\*Kathleen Campbell
Satellite Policy Branch
International Bureau
Federal Communications Commission
Room 505
2000 M Street, NW
Washington, DC 20554

William H. Traue 390 Pevero Drive Idaho Falls, ID 83401-6321

George A. Croly 4787 Goodland St. Santa Maria, CA 93455

Robert J. and Rose S. Shea 4977 Blue Rodge Dr. College Station, TX 77845

Larry and Arvada Helena 1405 Lilac Lane Alamogordo, NM 88310

John J. Karamon President J.K. International 19 Berkeley Street Stamford, CT 06902 American Family Society K. Wayne Scott, President 5013 Russett Road Rockville, MD 20835

National Parks and Conservation Association Kathryn E. Westra 1776 Massachusetts Avenue, NW Washington, DC 20036-1904

National Black Media Coalition Pluria W. Marshall, Chair

Dwight H. Lammers 4322 280th St. Graettinger, LA51342-8501

WHYL H. Lincoln Zeve, President Box WHYL Carlisle, Pennsylvania 17013

Lawrence J. Petersen HC 1- Box 6206 Benson, AZ 85602-9709

American Mothers, Inc. Dr. Lois O. Scwab, President The Waldorf-Astoria 301 Park Avenue New York, New York 10022

United States Department of Commerce Donald B. Sullivan, Chief Time and Frequency Division 325 Broadway Boulder, CO 80303-3328

American Family Society Ronald L. Neill 5013 Russett Road Rockville, MD 20853

Sat Tech Systems, Inc. Keith D. McDonald, President 2775 Quincy Street, Suite 610 Arlinton, VA 22206-2204

Major Broadcasting Companies Christopher F. Devine, President 54 West Hubbard Street, Suite 600 Chicago, IL 60610 American Family Society Robert L. Breeden, Chair 8301 Alvord Street McLean, VA 22102

SportsRadio 610WIP Cecil R. Forster, VP&GM 441 North Fifth Street Philadelphia, PA 19123

## WIC

Gale Ellsworth, Executive Director 10605 Judicial Drive, Suite A-4 Fairfax, VA 22030

Arthur Hertzberg 715 Broadway, Room 309 New York, NY 10003-6806

The Convention Store M.E. Curl, President 2981 Solomons Island Road Edgewater, MD 21037